

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, August 19, 2003, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth, Interim CEO
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Susan Novak, Assistant

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Smith, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-20)

32145 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 3 WHICH WAS DELETED; ITEM 5 WHICH RECEIVED AN ABSTENTION FROM SUPERVISOR WILSON; AND ITEM 12 WAS CONTINUED TO 9/9/03, 9:30 A.M.**

BOARD APPOINTMENTS

1. **Chairman Wilson** - Comprehensive Economic Development Strategy Committee - Appoint Debora A. Hausdorfer, Irvine, to complete term ending 7/1/04
2. **Supervisor Campbell** - North Tustin Advisory Committee - Reappoint Lance Jensen, for term ending 3/31/06, John Secor and Manuel Padilla, for terms ending 9/30/04, Richard Wagner, Gail Michelsen and Merlin Henry, Tustin, for terms ending 4/1/05

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DEPARTMENT APPOINTMENTS

3. **Health Care Agency** - Orange County HIV Planning Council - Appoint Betsy C. Ha, Orange, Christopher Ried and Kurt Weston, Santa Ana, for terms ending 12/31/03; and Liz Pejeau, Santa Ana, Robert E. Thompson, Garden Grove, Sylvia A. Martinez and Matilde Rivera, Fullerton, for terms ending 12/31/04 - All Districts
- 32145 **DELETED**
4. **Housing and Community Services Department** - Orange County Workforce Investment Board - Appoint Rebeca Zarate-Cervantes, Santa Ana, to complete term ending 12/31/04 - All Districts

HEALTH CARE AGENCY

5. Approve Mutual Termination of lease with South Coast Medical Center Foundation for Behavioral Health Adult Mental Health Program services, Laguna Beach; and make California Environmental Quality Act findings - District 5
- 32145 **APPROVED AS RECOMMENDED**
- A **(Chairman Wilson abstained from discussion and vote on this matter due to potential conflict arising from his membership on South Coast Medical Center Hospital and Foundation boards)**

HOUSING AND COMMUNITY SERVICES DEPARTMENT

6. Approve recombining of Office On Aging 10 service areas into 3 service areas; and authorize Department to submit area plan amendment to State Department of Aging - All Districts
7. Approve amended agreement C-2-0617 with Orange County Transportation Authority for Senior Medical Assistance Reimbursement Transportation Program, extending term to 6/30/04 - All Districts
8. **Acting as the Board of Supervisors and Orange County Housing Authority** - Approve submission of Section 8 Management Assessment Program Certification to U.S. Department of Housing and Urban Development to monitor performance of Section 8 tenant-based programs, FY 2002-03 - All Districts

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

9. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for repair of HVAC ductwork, Central Justice Center; set review to determine continuing need for emergency action for 8/26/03, 9:30 a.m., and every 14 days thereafter - District 1 (4/5 vote) (Continued from 7/22/03, Item 50; 8/5/03, Item 8)
10. Accept work with Service First Contractors Network DBA: Service First for remodel of interior offices and classrooms at the Youth & Family Resource Center, El Toro Marine Base; project completed 6/13/03 (\$239,501.94) - District 3
11. Approve price agreement N1000005260 with Santa Fe Building Maintenance for janitorial services, PFRD/Fruit Street Complex, 9/1/03 - 8/31/04 (\$34,418.76); renewable for two additional years - District 1

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12. Approve amended lease and option with Goldrich, Kest and Grau and approve lease rent credit for environmental documentation preparation, Sunset Harbour Site Master Plan project (\$99,000) - District 2

32145 **CONTINUED TO 9/9/03, 9:30 A.M.**

13. Approve amendment 2 to agreement D99-046 with California State University, Fullerton for extension of archaeological/paleontological curation project, extending term to 3/30/04 - All Districts
14. Receive and file final report for archaeology/paleontology curation program with California State University Fullerton - All Districts

SOCIAL SERVICES AGENCY

15. Approve hold harmless agreement with Orange International Street Fair, Inc. for public outreach events, 8/29/03 - 8/31/03 - All Districts

PUBLIC PROTECTION

Sheriff-Coroner:

16. Approve price agreement N1000005304 with Corporate Image Maintenance for janitorial services, Loma Ridge facility 9/1/03 - 8/31/04 (\$21,360); renewable for two additional years; and make related findings - District 3
17. Approve purchase order with Talon Executive Services, Inc. for consulting services to evaluate Orange County Operational Area Emergency Needs Assessment Plan (\$115,000) - All Districts

GENERAL ADMINISTRATION

County Executive Office:

18. Approve amended Comprehensive Economic Development Strategy Committee Bylaws - All Districts
19. Approve proposed response to findings 1-4 and recommendations 1-6 to FY 2002-03 Grand Jury Report "Orange County Government – In Transition" - All Districts
20. **Treasurer-Tax Collector** - Approve amended transfer of unclaimed money from Probation Victim Restitution Fund to County General Fund (\$4,006.10) - All Districts

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 21-32)

HEALTH CARE AGENCY

21. Approve agreement 03-75141 with State Department of Health Services for Pediatric Immunization Project, 7/1/03 - 6/30/04 (\$852,944) - All Districts
31245 **APPROVED AS RECOMMENDED**

HOUSING AND COMMUNITY SERVICES DEPARTMENT

22. Approve Standard Agreement CB-0304-22 with State Department of Aging for Older Californians Act Programs, FY 2003-04 (\$613,846) - All Districts
12345 **APPROVED AS RECOMMENDED**
23. Approve agreement with St. Anselm's Cross Cultural Community Center for implementation and administration of St. Anselm's Senior Transportation Program, Central and West Orange County regions, effective 8/19/03 (\$618,405) - Districts 1, 2 & 3
B.O. **CONTINUED TO 8/26/03, 9:30 A.M.**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

Board of Supervisors and Orange County Flood Control District:

24. Approve contract change order no. 3 to agreement D02-064 with J. F. Shea Construction, Inc. for construction improvements of Talbert Channel (\$255,089.58 decreased; new total \$3,974,258.42) - District 2
21345 **APPROVED AS RECOMMENDED**
25. Approve contract change order no. 29 to agreement D00-100 with PK Contractors, Inc. and accept improvements for Rossmoor Pump Station and Rossmoor Retarding Basin; project completed 12/30/02 (\$10,141,914.04) - District 2
21345 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

26. **Acting as the OC In-Home Supportive Services Public Authority** - Approve submission of grant application to U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop models of systems changes to improve recruitment and retention of direct service workers (\$1,500,000) - All Districts
12345 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

27. **District Attorney** - Adopt resolution approving submission of grant application to State Department of Insurance for continued funding for participation in State Automobile Insurance Fraud Investigation and Prosecution Program (\$1,053,146); authorize District Attorney or designee to execute subsequent amendments under certain conditions; and make California Environmental Quality Act and other findings - All Districts
31245 **APPROVED AS RECOMMENDED**
 RESO: 03-283

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28. **Sheriff-Coroner** - Approve price agreement N1000005308 with California Forensic Phlebotomy, Inc. for withdrawing of blood samples and conducting breath testing, 9/1/03 - 8/31/04 (\$240,000), renewable for four additional years - All Districts
13245 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

29. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
B.O. **CONTINUED TO 8/26/03, 9:30 A.M.**
30. Approve recommendations from County Executive Officer and Assistant CEO Office of Human Resources regarding adoption of terms and conditions of employment for certain represented employees, Orange County Attorneys Association - All Districts
13245 **APPROVED AS RECOMMENDED**
31. Approve price agreement N4000003075 with Mercer Human Resources Consulting for Employee and Retiree Health Insurance Programs, 9/12/03 - 9/11/04 (\$220,000) - All Districts
B.O. **CONTINUED TO 8/26/03, 9:30 A.M.**
32. Approve agreement 03-008FA with Kelling, Northcross & Nobriga for financial advisory services for Dana Point Harbor improvements, 7/1/03 - 6/30/06 - District 5
53124 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Items 33-34)

PLANNING AND DEVELOPMENT SERVICES

33. Public Hearing to consider adopting resolution denying appeal filed by Holtz Preservation Group, Canyon Land Conservation Fund, Rural Canyons Conservation Fund, and Juaneno Band of Mission Indians and upholding Planning Commission approval of site development permit PA02-0022, Silverado Canyon Ranch; certifying Final EIR 587; and make California Environmental Quality Act and other findings - District 3
B.O. **CLOSED PUBLIC HEARING**
- 34125 **APPROVED AS RECOMMENDED WITH MODIFICATIONS TO SITE DEVELOPMENT PERMIT PA 02-0022:**
1. TO FURTHER REDUCE ANY POTENTIAL VISUAL IMPACTS OF THE PROJECT, THE APPLICANT SHALL BE REQUIRED TO TINT CONCRETE V-DITCHES AND ANY GROUTED RIPRAP TO CORRESPOND TO THE NATURAL COLOR OF THE SOIL.
2. REVISED LANGUAGE FOR MITIGATION MEASURE 8.4: STREET LIGHTING, INCLUDING 'BOLLARD'-TYPE LIGHTING, SHALL BE PROHIBITED AND NO OVERHEAD LIGHTING OF TENNIS COURTS SHALL BE PERMITTED, EXCEPT SAFETY OR IDENTIFICATION LIGHTING AS MAY BE REQUIRED BY THE MANAGER, SUBDIVISION AND GRADING SERVICES.
3. EROSION PROTECTION AND SLOPE LANDSCAPING SHALL COMMENCE AS SOON AS DETERMINED BY THE BUILDING OFFICIAL SUCH PLANTING IS SAFE AND PRACTICAL AFTER SITE ROUGH GRADING OPERATIONS. THE PLANTING SHALL BE INSTALLED, FULLY GERMINATED AND EFFECTIVELY COVER THE REQUIRED

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SLOPES WITH NATIVE VEGETATION PRIOR TO ACCEPTANCE BY THE BUILDING OFFICIAL.

4. THERE SHALL BE NO GATES AT THE PROJECT ENTRY PLAZA; HOWEVER, GATES MAY BE ALLOWED ON INDIVIDUAL LOTS.

5. NON-NATIVE TREES WILL BE REPLACED ON A ONE-TO-ONE RATIO WITH NATIVE TREES.

RESO: 03-284

GENERAL ADMINISTRATION

34. **County Executive Office** - Public Hearing to consider use of Local Law Enforcement Block Grant funds; consider recommendations of Local Law Enforcement Block Grant Advisory Board; and make funding use determination - All Districts

B.O. **CLOSED PUBLIC HEARING**

21345 **APPROVED AS RECOMMENDED**

V. CLOSED SESSION (Items CS-1-CS-2)

CS-1. Closed Session
PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957:
Title: County Executive Officer

B.O. **HELD, NO REPORTABLE ACTION**

CS-2. Closed Session
CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Susan Paul

B.O. Employee Organization: Association of Orange County Deputy Sheriffs
HELD, NO REPORTABLE ACTION

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Michael Carre and Linda Renta - United Employees Organization of Orange County - Oral Re: Grand Jury Report "Who Represents Orange County Taxpayers?"

Michael Boeck - Oral Re: Request notification of Public Hearings regarding Rancho Potrero Leadership Academy

Darrel Nolte - Oral Re: Water quality issues

BOARD COMMENTS:

Supervisor Campbell - Oral Re: Completion of street lighting project in Santiago Canyon

Supervisor Norby - Oral Re: Input from employees' unions on Grand Jury report.

Supervisor Norby - Oral Re: Allegations that Vector Control has gone beyond its public charge & competing with private companies - would like response from Board appointed member who sits on Vector Control or Vector Control Board

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ADJOURNED: 12:13 P.M.

None

*** KEY ***

Left Margin Notes

1. ✓ Supervisor Smith
2. ✓ Supervisor Silva
3. ✓ Supervisor Campbell
4. ✓ Supervisor Norby
5. ✓ Chairman Wilson

Right Margin Notes

- | | |
|------------------|-----------------|
| A. ✓ Abstained | O. ✓ Ordinance |
| X. ✓ Excused | R. ✓ Resolution |
| N. ✓ No | |
| BO ✓ Board Order | |

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

SUSAN NOVAK, ASSISTANT
Orange County Clerk of the Board